

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Helen B. Johnson (Estate)

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Case No. 07CEPR00593

Atty Buettner, Michael M., sole practitioner (for Petitioner George R. Johnson, Executor)

(1) Petition for Settlement of First and Final Account and (2) for Final Distribution

DOD: 4/17/2003			GEORGE P. JOHNSON, spouse and Evecutor			NEEDS/PROBLEMS/COMMENTS:
DOD: 6/17/2003			GEORGE R. JOHNSON , spouse and Executor, is Petitioner.			NEEDS/TROBLEMS/COMMENTS.
		is remioner.				
			Account period: 6/17/2003 - 3/10/2014			
Cont. from						
	Aff.Sub.Wit.		Accounting	-	\$260,553.35	
√	Verified		Beginning POH	-	\$112,500.00	
✓	Inventory		Ending POH	_	\$243,062.92	
✓	PTC				(all cash)	
✓	Not.Cred.					
✓	Notice of Hrg		Executor	_	Not requested	
✓	Aff.Mail	W/				
	Aff.Pub.		Attorney	_	Not requested	
	Sp.Ntc.		Amonney		Horrequesica	
	Pers.Serv.					
	Conf. Screen					
Letters 072208		Distribution pursuant to Decedent's Will is to:				
Duties/Supp						
	Objections					
	Video		GEORGE R. JOHNSON, IN TRUST to be held			
	Receipt		administered and Seven of Decede		ted per Paragraph	
	CI Report					
✓	9202		Paragraphs 27, 28 and 29 of the instant <i>Petition</i> , and in the proposed order –			
✓	Order		\$243,062.92 cash			
	Aff. Posting					Reviewed by: LEG
	Status Rpt					Reviewed on: 4/23/14
	UCCJEA					Updates:
	Citation					Recommendation: SUBMITTED
✓	FTB Notice					File

3A Atty

Wright, Robert S. (for Rosario R. Forestiere – Administrator)

Amended Petition for Probate of Will and for Lett

Amended Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DO	D: 9-21-12		ROSARIO R. FORESTIERE, Spouse and	NF	EDS/PROBLE
	-, , <u>-</u> 1-14		named Executor without bond, is	'	, . NO 5 LL
			Petitioner.	1.	Pursuant to
					Petitioner w
			Petitioner was originally appointed as		as Adminis
			Administrator with Limited IAEA		Executor p
	Aff.Sub.Wit.	Χ	without bond on 1-3-13 and Letters		This change
>	Verified		issued on		the use of t
	Inventory		1-7-13		Council For
	PTC		Potitioner new requests that the		Administer
	Not.Cred.		Petitioner now requests that the decedent's will dated 8-5-65 be		Petitioner u
	Notice of	Χ	admitted to probate and that he be		Hearing" fo
	Hrg		appointed as Executor pursuant to		petition, wh
~	Aff.Mail	W	the will.		specific lar
~	Aff.Pub.				irames for (
	Sp.Ntc.		Full IAEA – ok		Therefore,
	Pers.Serv.		Will dated 8-5-65		required fo
	Conf.		1 11 Mill adied 0-3-03	2.	Similarly, re
	Screen		Residence: Fresno		Petitioner re
>	Letters		Publication: Petitioner references		publication
>	Duties/Supp		publication filed 11-30-12		connection for Letters of
	Objections		Value of Federics		due to the
	Video		Value of Estate:		need publi
	Receipt		1&A filed 3-18-13 indicates a total		Probate of
	CI Report		estate value of \$122,000.00		Testamento
	9202		consisting of real property and a vehicle.		
\	Order			3.	The will is n
			 Order Confirming Sale of Real Property filed 1-3-14 indicates that the real property was sold for \$175,000.00. 		has provide Marvin T. H Code §822 handwriting Helon, who
			Note: Page 3C of this calendar is a status hearing set for filing the receipt for blocked account.		witnesses, of from Rosari spouse) att handwriting
	Aff. Posting			Re	viewed by:
	Status Rpt			Re	viewed on: 4
	UCCJEA			Up	dates:
	Citation			Re	commenda
	FTB Notice			File	•

NEEDS/PROBLEMS/COMMENTS:

 Pursuant to Probate Code §8504, Petitioner will essentially be <u>removed</u> as Administrator and <u>appointed</u> as Executor pursuant to the will.

This change in administration prompts the use of the Mandatory Judicial Council Form Notice of Petition to Administer Estate DE-121.

Petitioner used the general "Notice of Hearing" form for notice of this petition, which does not contain specific language regarding time frames for objections, etc.

Therefore, continuance will be required for proper notice.

- Similarly, republication is necessary. Petitioner refers to the original publication filed 11-30-12 in connection with his original petition for Letters of Administration; however, due to the change in administration, need publication of <u>this</u> Petition for Probate of Will and for Letters Testamentary.
- 3. The will is not self-proving. Petitioner has provided a Declaration from Marvin T. Helon pursuant to Probate Code §8221 attesting as to the handwriting of his father Marvin E. Helon, who was one of the subscribing witnesses, as well as a Declaration from Rosario Forestiere (Petitioner and spouse) attesting as to the handwriting of the decedent.

Reviewed by: skc

Reviewed on: 4-23-14

Updates:

Recommendation:

File

Wright, Robert S. (for Rosario R. Forestiere – Administrator)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9-21-12				
Cont. from 032114				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of				
Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf.				
Screen				
Letters				
Duties/Supp				
Objections				
Video				
Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				

ROSARIO R. FORESTIERE, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.

At hearing on 1-3-13, the Court set this status hearing for the filing of the first account or petition for final distribution.

Status Report filed 3-11-14 by
Attorney Wright states that a will
has now been discovered and a
Petition for Probate of Will is in
process. The assets of the estate
include the decedent's home,
personal vehicle, and personal
effects. On 12-31-13, the Court
approved the sale of the
residence and it is currently in
escrow. The estate is not in a
condition to be closed until the will
has been admitted and escrow
has closed.

NEEDS/PROBLEMS/COMMENTS:

Continued from 3-21-14

 Petitioner states the estate is not in a condition to be closed at this time because a will has been discovered and a Petition for Probate of Will is in process. In addition, escrow on the sale of the residence has not yet closed. The Court may require additional information as to the anticipated time frame for close of escrow, filing the petition for probate of will, and then closing the estate.

<u>Note</u>: The Petition for Probate of Will filed 3-19-14 is Page 3A of this calendar.

 The Administrator was previously appointed with Limited IAEA without bond. At this time, since the residence has sold for a purchase price of \$175,000.00, the Court may require bond or blocked account going forward.

Reviewed by: skc

Reviewed on: 4-23-14

Updates:

Recommendation:

File 11 – Forestiere

Atty

Wright, Robert S. (for Rosario R. Forestiere – Administrator)
Status Hearing Re: Filing of the Receipt for the Blocked Account

	ROSARIO R. FORESTIERE, Spouse, was	NEEDS/PROBLEMS/COMMENTS:
	appointed as Administrator with Limited	
	IAEA without bond on 1-3-13 and Letters	Need receipt for blocked
	issued on 1-7-13.	account (MC-356).
	On 1-3-14, the Court confirmed the sale	
Aff.Sub.Wit.	of real property at \$175,000.00.	
Verified	· · · / ·	
Inventory	At the status hearing on 3-21-14	
PTC	regarding the filing of the first account or petition for final distribution, it was	
Not.Cred.	noted that the estate is not in a	
Notice of	condition to close at this time because	
Hrg	a will has been found and the	
Aff.Mail	Administrator would be filing a petition	
Aff.Pub.	to admit the will to probate. See Page	
Sp.Ntc.	3A. The Court ordered the proceeds from the sale of the property deposited	
Pers.Serv.	into a blocked account and set this	
Conf.	status hearing for filing of the receipt.	
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 4-23-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File

Kevin Dion Higgins (Estate)

Case No. 14CEPR00096

Kruthers, Heather H (for Petitioner/Public Administrator) Atty

Petition for Probate of Will and for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 4/17/13			PUBLIC ADMINISTRATOR is petitioner and requests appointment as Administrator with Will Annexed.	NEEDS/PROBLEMS/COMMENTS: 1. Need original Will.
Cont. from 031214			Full IAEA - o.k.	1. Need onginal Mill.
✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report	W/ N/A	Will dated: 7/12/2004 Residence: North Carolina (leaving personal property and purported life insurance proceeds held by decedent's brother, in Clovis CA.) Publication: Fresno Business Journal Estimated value of the Estate: Personal Property- \$250,000.00 Real property - \$150,000.00 Total - \$400,000.00 Probate Referee: Steven Diebert	 Note: If the petition is granted, status hearings will be set as follows: Friday, October 3, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, June 5, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
	9202			
✓	Order			
_	Aff. Posting			Reviewed by: KT
\vdash	Status Rpt			Reviewed on: 4/23/14
\vdash	UCCJEA			Updates:
\vdash	Citation			Recommendation:
	FTB Notice			File 4 – Higgins 4

EmmaJean Elizabeth Gordon (Estate)

Atty

Case No. 14CEPR00251

Arthur, Susan K. (for George Johnson – son-in-law/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/11/13			GEORGE JOHNSON, son-in- NEEDS/PROBLEMS/COMMENTS			
			law/named executor without bond, is			
			Petitioner.	It does not appear that the		
				original will has been deposited with the Court as		
Co	nt. from		Full IAEA – ok	required pursuant to		
✓	Aff.Sub.Wit.		NACIII alasta al lipo at alasta al Ca a tarritta al	Probate Code § 8200.		
✓	Verified		Will dated – not dated (notarized 01/29/08)	(
	Inventory		01/27/00]	Note: The Will was not dated by		
	PTC		Residence: Clovis	the decedent or either of the witnesses. The Acknowledgement		
	Not.Cred.		Publication: The Business Journal	of Notary indicates that the		
✓	Notice of			decedent appeared before a		
	Hrg		Estimated Value of the Estate:	notary on 01/29/08.		
✓	Aff.Mail	w/	Personal property - \$ 500.00	T 1450		
✓	Aff.Pub.		Real property - \$350,000.00	The Will is not self-proving, proof of		
	Sp.Ntc.		Total - \$350,500.00	subscribing witness have been filed by both witnesses.		
	Pers.Serv.			Thou by ben't with lesses.		
	Conf.		Probate Referee: RICK SMITH	Note: If the Petition is granted,		
	Screen			status hearings will be set as		
✓	Letters			follows:		
✓	Duties/Supp			Friday, 00/04/14 at 0:00 a see in Donal		
	Objections			• Friday, 09/26/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and		
	Video			appraisal and		
	Receipt	l I		• Friday, 06/26/15 at 9:00a.m. in Dept.		
	CI Report] 		303 for the filing of the first account		
	9202			and final distribution.		
√	Order			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.		
	Aff. Posting			Reviewed by: JF		
	Status Rpt			Reviewed on: 04/23/14		
	UCCJEA			Updates:		
<u> </u>	Citation			Recommendation:		
	FTB Notice			File 7 - Gordon		